



General Assembly

January Session, 2001

Raised Bill No. 6858

LCO No. 4067

Referred to Committee on Judiciary

Introduced by:
(JUD)

AN ACT CONCERNING THEFT OF UTILITY SERVICE.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Subdivision (15) of section 53a-119 of the general statutes is repealed
2 and the following is substituted in lieu thereof:

3 (15) Theft of utility service. A person is guilty of theft of utility
4 service when [he] such person intentionally obtains electric, gas, water,
5 telecommunications, wireless radio communications or community
6 antenna television service that is available only for compensation: (A)
7 By deception or threat or by false token, slug or other means including,
8 but not limited to, electronic or mechanical device or unauthorized use
9 of a confidential identification or authorization code or through
10 fraudulent statements, to avoid payment for the service by himself or
11 another person; or (B) by tampering or making connection with or
12 disconnecting the meter, pipe, cable, conduit, conductor, attachment or
13 other equipment or by manufacturing, modifying, altering,
14 programming, reprogramming or possessing any device, software or
15 equipment or part or component thereof or by disguising the identity
16 or identification numbers of any device or equipment utilized by a
17 supplier of electric, gas, water, telecommunications, wireless radio

18 communications or community antenna television service, without the
19 consent of such supplier, in order to avoid payment for the service by
20 himself or another person; or (C) with intent to avoid payment by
21 himself or another person for a prospective or already rendered service
22 the charge or compensation for which is measured by a meter or other
23 [mechanical] measuring device provided by the supplier of the service,
24 by tampering with such meter or device or by attempting in any
25 manner to prevent such meter or device from performing its
26 measuring function, without the consent of the supplier of the service.
27 There shall be a rebuttable presumption that the person [to whom the
28 service is billed] who is receiving the service has the intent to obtain
29 the service and to avoid making payment for the service if, without the
30 consent of the supplier of the service: (i) Any meter, pipe, cable,
31 conduit, conductor, attachment or other equipment has been tampered
32 with or connected or disconnected, (ii) any device, software or
33 equipment or part or component thereof has been modified, altered,
34 programmed, reprogrammed or possessed, (iii) the identity or
35 identification numbers of any device or equipment utilized by the
36 supplier of the service have been disguised, or (iv) a meter or other
37 [mechanical] measuring device provided by the supplier of the service
38 has been tampered with or prevented from performing its measuring
39 function. The presumption does not apply if the person to whose
40 service the condition applies has received such service for less than
41 thirty-one days or until the service supplier has made at least one
42 meter or service reading and provided a billing statement to the
43 person as to whose service the condition applies. The presumption
44 does not apply with respect to wireless radio communications.

Statement of Purpose:

To include within the elements of the offense tampering with any kind of measuring device, not just a mechanical measuring device, and to provide that the rebuttable presumption applies to the person receiving the service rather than the person to whom the service is billed.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]